



STATE BOARD of LICENSED SOCIAL WORKERS
Board Meeting
Friday, April 12th, 2013
3218 Pringle Road SE, Salem, OR 97302

Board Members Present: Carol Copley Zancanella, *Chair*
Donna Henderson, *Vice Chair*
Kathy Outland
Mark Oldham
Kittee Custer
Martha Lopez
Rachel Jensen

Board Counsel Present: Kyle Martin, *AIC, Oregon Dept. of Justice*

Staff Members Present: Martin Pittioni, *Interim Executive Director*
Mindy Tucker, *Senior Compliance Specialist*
Jesse Milich, *Investigator*
Kimberly Sommer, *Licensing Specialist*

1. CALL TO ORDER:

Acting Chair Zancanella called the Board Meeting to order at 11:45 a.m., and provided brief opening remarks.

2. REVIEW OF AGENDA:

Acting Chair Zancanella asked for review of the draft agenda.

- i. Oldham moved to adopt and approve the agenda so amended.*
- ii. Custer seconded.*
- iii. Motion passed unanimously.*

3. ELECTION OF OFFICERS

Acting Chair Zancanella advised Board members that new Board Officer elections would now be taken up, and added she is interested in serving as Chair. **Zancanella** asked if there were any nominations for Chair.

- i. Custer moved to nominate Zancanella as Chair.*
 - ii. Oldham seconded.*
Acting Chair Zancanella asked if there were any other nominations.
Hearing none, Zancanella asked for a vote on the nomination.
 - iii. Motion passed unanimously.*
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- i. Outland moved to nominate Henderson as Vice Chair.*
 - ii. Lopez seconded.*
Chair Zancanella asked if there were any other nominations.
Hearing none, Zancanella asked for a vote on the nomination.
 - iii. Motion passed unanimously.*

4. APPROVAL OF MINUTES

Chair Zancanella asked Board members to review minutes of the Board meeting on January 19, 2013. **Pittioni** reminded Board members that they had approved minutes for December 2012 and February 2013 at their last meeting on March 15, 2013, but that minutes for January 2013 had not been available for the Board's review at that point, and are now being supplemented.

- i. *Oldham moved to approve the Board meeting minutes of January 19, 2013, as presented.*
- ii. *Custer seconded.*
- iii. *Motion passed unanimously.*

5. MOVE TO EXECUTIVE SESSION:

Chair Zancanella announced that the Board would now enter into Executive Session to conduct Board business, pursuant to ORS 162.660(2)(b)(f)(h)(i)(k). The Board entered into Executive Session at 12:05 p.m.

- *Chair Zancanella moved the Board out of Executive Session at 12:45 p.m.*

6. COMMITTEE REPORTS

Chair Zancanella presented the Consumer Protection Committee report.

In the matter of case 2012-73:

- i. *Zancanella moved to close the case.*
- ii. *Oldham seconded.*
- iii. *Motion passed unanimously.*

In the matter of case 2011-69:

- i. *Zancanella moved to dismiss the case.*
- ii. *Custer seconded.*
- iii. *Motion passed unanimously.*

In the matter of case 2012-44:

- i. *Zancanella moved to close the case.*
- ii. *Custer seconded.*
- iii. *Motion passed unanimously.*

In the matter of case 2013-20:

- i. *Zancanella moved to close the case.*
- ii. *Lopez seconded.*
- iii. *Motion passed unanimously.*

Oldham provided a legislative committee report, focusing on developments with House Bill 2611-A proposing cultural competency continuing education requirements for health regulatory board licensees. **Pittioni** added that subsequent to the legislative demise of Senate Bill 302, the health board consolidation bill, discussions were under way within the executive branch regarding a possible pilot project involving partial administrative consolidation at the Director level of two or three mental-health related boards, including potentially involving this Board, which was delaying a decision on whether to move forward with a stand-alone recruitment for this Board's Director position. **Pittioni** advised that he expected that the office of Chief Operations Officer **Michael Jordan** would reach out to Board leadership imminently through Deputy COO **Sarah Miller** for more specific consultations. **Pittioni**

reported that Board's House Bill 2082 was awaiting a hearing in the Senate and that he had received assurances such a hearing would be scheduled soon. **Pittioni** added that he expected the Board's budget bill, Senate Bill 5510, to be scheduled at the end of April for work session.

Oldham provided the Continuing Education Committee report, and advised that committee had approved three CE requests from LCSWs **Owens, Carlin** and **Markwell**. **Oldham** added he would report on the planning of the Continuing Education Committee tomorrow.

7. EXECUTIVE DIRECTOR REPORT

Pittioni advised the Board that with data available for the period July 1, 2011 through March 31, 2013, the Board experienced a net growth of 670 licensees to 4,943 total, with 155 additional applicants in the pipeline. **Pittioni** advised that based on those actual numbers, the Board was on track to grow by about 18% by the end of the 2011-13 biennium (June 30, 2013).

Pittioni reviewed a handout of the Board's fiscal position in the current biennium (July 2011 through June 2013), with actual data through February 2013, and reported that during that period the Board took in \$1,009,642 in revenue against \$1,002,918 in expenditures.

Pittioni reported that he had provided formal notice on April 1, 2013, to the Governor's Office, DAS Chief Operations Office and leadership of this Board and the Board of Accountancy that he would resign from his appointment as Interim Director for the Board of Licensed Social Workers effective June 30, 2013. **Pittioni** added he still had hopes that this would allow sufficient time for an orderly transition for the Board, while emphasizing that he simply could not sustain the pace of running two agencies long term, and noting that there is a fundamental issue of fairness also relative to his home agency, the Board of Accountancy. **Pittioni** advised he had added a temp, **Ann Taylor**, to fill in temporarily behind **Adamson**, who had left to work for the Board of Accountancy, and that **Adamson** was still helping out as a temp as well outside her regular work hours for the Board of Accountancy to assist during the staff transitions in the Board's licensing unit.

Pittioni reported that the season of outreach to social work graduating classes had arrived, and that he had scheduled two classroom presentations in Portland to Portland State University (PSU) MSW students, as well as in PSU MSW Distance learning cohorts in Salem on May 3rd, Bend on May 17th and Ashland on May 31st. Board members thanked **Pittioni** for his willingness to still engage in this outreach given his dual agency responsibilities. **Jensen** suggested that universities should begin to recognize the value of these presentations to students and build their content into their programs and curriculum more formally.

Pittioni added that the Secretary of State Audits Division had started a performance audit of health regulatory boards on April 3rd, with Kathleen Taylor as Principal Auditor, and that **Pittioni** had submitted initial requested data on April 10th. **Pittioni** advised that this audit was connected to the issues raised by Senate Bill 302, and that executive branch leaders hope to gain some insights from the audit that would help in developing executive branch approach to potential consolidation approaches and operational improvements. **Pittioni** added that this was specifically discussed at the courtesy hearing for Senate Bill 302, and that legislators indicated they expected to hear an update on the audit during the interim legislative days that would begin in September 2013.

Pittioni reported that planning was in place to deal with potentially significant disruption especially during May 10-14, 2013, due to the impact of tenant improvements implementing the new master lease, which include re-carpeting of the first and second floor of the Morrow Crane building. **Pittioni** added that this required the entire office to be packed up and unpacked, and that this would both present an opportunity for clean-up in the process while also presenting a significant additional set of duties for staff. **Pittioni** stated that last year's move of the Board's server to a secure server cabinet in a storage room not subject to re-carpeting would significantly help with the operational impact of the tenant improvements.

8. APPROVAL OF CONSENT AGENDA

Chair Zancanella asked for review of the Consent Agenda.

- i. Oldham moved to approve the Consent Agenda as presented.*
- ii. Custer seconded.*
- iii. Motion passed unanimously.*

9. PUBLIC COMMENT

No member of the public was present to comment.

10. NEW BUSINESS

Chair Zancanella advised that it was now time to formally acknowledge **Oldham's** service to the Board, and presented Oldham with a plaque recognizing Oldham's exemplary service to the Board during his Board service from 1992-96 and again from 2003 until now. **Chair Zancanella** reminded Board members that a replacement appointment for **Oldham, Ebony Sloan Clarke**, would be likely be in place by late April, and thus be in place for the May Board conference call. **Oldham** thanked Board members for the recognition, and made brief remarks which emphasized that in his view the Board is now a transformed organization. Board members thanked **Oldham** for his dedication and service to the Board and profession.

Chair Zancanella advised presented her Chair appointments to Board committees:

- Consumer Protection Committee: Henderson (Chair), Outland and Custer
- Legislative and Rules Committee: Outland (Chair), Zancanella and Jensen
- Continuing Education Committee: Jensen (Chair), Clarke and Lopez
- Examination Committee: Lopez (Chair), Zancanella and Custer

Chair Zancanella advised that she had also kept the tradition in place that that the Board's Budget and Personnel Committee would be two-person committees chaired by the Board Chair, and include the Vice Chair as an additional member.

Oldham advised that there would be no report from NASW because NASW's Board is not meeting until July.

11. CORRESPONDENCE

Pittioni reported on the correspondence received from **Wayne Scott**, LCSW regarding the Board's high late renewal fee for LCSWs. Board members determined that they had no discretion to waive the fee, and that the relationship between the size of the late fee relative to the license renewal fee is changing automatically and significantly anyway due to the Board's transition to two-year licensure. **Pittioni** added that the high late fee had not been a money-maker for the Board, in part due to extensive outreach by staff to those in danger of renewing late, and likely due as well to the desired deterrent effect.

Chair Zancanella discussed the communication from **Kate McNulty**, LCSW regarding her proposal to conform her private practice setting to a setting that could comply with the Board's definition of agency for purposes of the CSWA program, which requires placement in an agency, so that **McNulty** could receive Board approval for her practice setting to be an agency eligible for placement of CSWAs in her practice. Counsel **Martin** advised that the Board had no authority to approve or register agencies, and that the Board does have the authority to act on individual submissions of CSWA supervision plans. Board members discussed the

matter. **Chair Zancanella** stated she thought that more questions should be asked regarding the specific proposed plan of supervision, and that the matter raises larger, good questions about the Board's CSWA program that would be best to discuss further the next day during the planning portion of the Board meeting. Board members agreed to defer the issue until the planning meeting.

12. APPLICATION FILES (Special Reviews)

Pittioni reviewed with the Board the matter of **Susan Mangnall-Harris'** request to return to active licensure status. Board members directed staff that since the applicant only went inactive on May 18, 2012, to allow the reactivation to proceed.

Pittioni reviewed with the Board the matter of **Linn Lowner's** request to return to active licensure status. Board members directed staff that since the applicant only was inactive for three months to allow the reactivation to proceed.

Pittioni reviewed with the Board in detail the matter of **Jeanne May's** request to return back to active status. **Pittioni then** advised that he had inadvertently provided the Board at its March 15, 2013 with incorrect data in this matter, and that the correct data significantly change the facts the Board should consider, including but not limited to the fact that the applicant had actually been inactive for 12 years. **Pittioni** expressed his regrets about the communication error and requested that the Board reconsider its decision from the March 15, 2013 Board meeting in the matter of Jeannie May's request to return back to active status. **Pittioni** reminded the Board that the applicant had submitted six hours of continuing education in ethics at this point.

- i. Oldham moved to reconsider the Board's decision from the March 15, 2013 in the matter of Jeanne May's application to return to active status exam.*
- ii. Custer seconded.*
- iii. Motion passed unanimously.*

- i. Oldham moved to approve Jeanne May's application to return to active status, subject to completion of an additional 34 hours of continuing education requirements, passage of the Oregon laws and rules exam, and submission of a plan of supervision, subject to Board review and approval, which must include supervision at minimum for one hour per month for one year.*
- ii. Custer seconded.*
- iii. Motion passed unanimously.*

Pittioni reviewed with the Board in detail the matter of **Carol Wenstrom's** request to return back to active status after 8 years on inactive status. Board members discussed the matter.

- i. Zancanella moved to approve Carol Wenstrom's application to return to active status, subject to completion of an additional 34 hours of continuing education requirements, passage of the Oregon laws and rules exam, and submission of a plan of supervision, subject to Board review and approval, which must include supervision at minimum for one hour per month for one year.*
- ii. Custer seconded.*
- iii. Motion passed unanimously.*

Pittioni reviewed the matter of **Dolores (Dodee) Schulte's** request for a late fee waiver. Board members determined that they had no authority to approve such a request.

13. ANNOUNCEMENT AND ADJOURNMENT:

Chair Zancanella advised that she would now adjourn the full Board so that the Consumer Protection Committee (CPC) would be able to resume its executive session work at 3:00 p.m. **Zancanella** reminded Board members that the Planning Meeting would start tomorrow Saturday April 13, 2013 at 9 a.m., but might be delayed a bit if CPC needs more than the advertised half hour starting at 8:30 to do its public meeting planning work.

Chair Zancanella adjourned the Board meeting at 2:51 p.m.

Respectfully submitted,

Martin Pittioni
Interim Executive Director

DRAFT